

REMARKS

The Examiner in the Official Action has rejected claims 1, 3-6, 12, 32 and 33 under 35 USC § 103(a) over Fountain for the reasons set forth therein. In the present application there is only a single independent claim, claim 1 upon which the remaining claims depend at least ultimately.

The present invention is directed to an image product assembly that includes a dual sided album leaf formed from two ply layers that are secured together and which form a pocket there between. The outer surfaces of the ply layers having a plurality of images formed thereon. The assembly further includes an insert having a size and configuration that can be placed within a pocket provided by the album leaf. Information on the insert is located on the insert such that the information can be readily identified with respect to which of the plurality of images it is associated with.

The main reference upon which the Examiner has rejected claim 1 is directed to a photographic card having an insert that has biographical information with respect to the image on the card. The Examiner states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to include as many images as desired, however, applicants respectfully submits that there is no teaching or suggestion to do so. Furthermore, even if a plurality of images were provided, there is no teaching or suggestion as to how the data provided on the insert could be associated with the plurality of images. Since Fountain does not teach or disclose the providing of a plurality of images, it could not teach or suggest how to provide a plurality of information such that the information is located in a position such that it can be readily identified with respect to each of said plurality of images it is associated with. Since Fountain does not specifically disclose a plurality of images, it could not be faced with the problem of associating various data for each of the plurality of images as taught and claimed by applicants. The providing a plurality of images is not the sole basis of distinguishing over Fountain, it is the providing of the information at a particular location on the insert such that it can be readily identified with respect to each of the plurality of images it is associated with. Thus, there is a clear functional relationship of the information on the insert with regard to the images on the dual sided album leaf. This is not taught or suggested by the prior art. Nor would it be obvious to modify the prior art as there is no

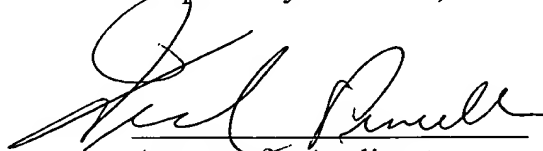
teaching or suggestion of providing a plurality of images. Applicants respectfully submits that the modifying of Fountain to arrive at applicants' invention of claim 1, is based on hind-sight and not by any teaching or suggestion in the prior art. The Examiner is correct that Fountain discloses information that is readily identified with respect to the image. However, this is only because there is only a single image. There is no teaching or suggestion of how this could be accomplished with a plurality of images as taught and claimed by applicants. As illustrated by Fig. 2b, there is one example by which this is accomplished by the present invention, in particular, the insert has outlines images that correspond to the images in the album leaf wherein the information is provided therein such that it can be readily associated with respect to each of the associated images.

In summary, it is respectfully submitted that Fountain does not teach or suggestion the invention as taught and claimed by applicants. Since the remaining claims all depend at least ultimately upon independent claim 1, it is respectfully submitted that the dependent claims are also in condition for allowance.

The remaining references cited by the Examiner fail to teach or suggest the claimed invention. They do not teach or suggest the providing of a plurality of images on the album leaf wherein additional data is provided on an insert that are located in positions on the inserts such that it can be readily identified with respect to the plurality of images it is associated with.

In view of the foregoing applicant respectfully submits that the application is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Frank Pincelli', written over a horizontal line.

Attorney for Applicants
Registration No. 27,370

Frank Pincelli/djw
Rochester, NY 14650
Telephone: (585) 588-2728
Facsimile: (585) 477-4646